

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHADAY MARTINEZ DESTINY
HAUGHTON,

Plaintiff,

-against-

CITY OF NEW YORK; NEW YORK CITY'S
DEPARTMENT OF HOMELESS SERVICES
(DHS),

Defendants.

25-CV-0366 (LTS)

ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. Plaintiff filed an application to proceed *in forma pauperis*, but she did not file a complaint. Rule 3 of the Federal Rules of Civil Procedure states that “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. The Court therefore directs Plaintiff to file a complaint in this action within 30 days of the date of this order. If Plaintiff does not file a complaint within the time prescribed, the Court will dismiss this action.

Plaintiff did not provide a mailing address or consent to accept electronic service of documents in this case.¹ The Court directs Plaintiff, within 30 days of the date of this order, to provide a mailing address for service of documents or submit a consent form to accept electronic service. A consent to electronic service form is attached to this order.

¹ Although Plaintiff did not consent to receive electronic service of court documents, she did include an email address on her application to proceed *in forma pauperis*. To help ensure that Plaintiff receives this order, the Court will direct the Clerk of Court to email a copy of this order to Plaintiff at that email address.

CONCLUSION

The Court directs Plaintiff, within 30 days of the date of this order, to: (1) file a complaint in this action; and (2) provide the court with a mailing address or consent to receive electronic service of court documents.

No summons shall issue at this time. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Clerk of Court is directed to email a copy of this order to Plaintiff at the email address on file and to provide a copy of this order and the attachment to Plaintiff should she appear at the court's Pro Se Intake window.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 17, 2025
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

CONSENT TO ELECTRONIC SERVICE

I hereby consent to receive electronic service of notices and documents in my case(s) listed below. I affirm that:

1. I have regular access to my e-mail account and to the internet and will check regularly for Notices of Electronic Filing;
2. I have established a PACER account;
3. I understand that electronic service is service under Rule 5 of the Federal Rules of Civil Procedure and Rule 5.2 of the Local Civil Rules, and that I will no longer receive paper copies of case filings, including motions, decisions, orders, and other documents;
4. I will promptly notify the Court if there is any change in my personal data, such as name, address, or e-mail address, or if I wish to cancel this consent to electronic service;
5. I understand that I must regularly review the docket sheet of my case so that I do not miss a filing; and
6. I understand that this consent applies only to the cases listed below and that if I file additional cases in which I would like to receive electronic service of notices of documents, I must file consent forms for those cases.

Civil case(s) filed in the Southern District of New York:

Please list all your pending and terminated cases to which you would like this consent to apply. For each case, include the case name and docket number (for example, John Doe v. New City, 10-CV-01234).

Name (Last, First, MI)

Address

City

State

Zip Code

Telephone Number

E-mail Address

Date

Signature

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